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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
RICHARD BRODY,	:
	:
Plaintiff	:
	:
v.	:
	:
	:
	:
LORNA BRODY, ROBERT BRODY	:
EVELYN BRODY, 466 BROOME STREET	:
OF NEW YORK CITY, INC.,	:
	:
Defendants.	:
-----X	

07 CV 7981 (RJS)

**NOTICE OF
MOTION TO DISMISS**

PLEASE TAKE NOTICE that the undersigned will move the Court, before the Hon. Richard J. Sullivan, U.S.D.J., at the United States Courthouse located at 500 Pearl Street, New York, New York, on a date to be specified by the Court consistent with the Federal Rules of Civil Procedure, for an Order, pursuant to Fed.R.Civ.P. Rule 12(b)(6) dismissing the Complaint in its entirety as to Defendants Lorna Brody, Evelyn Brody and 466 Broome Street of New York City, Inc. (collectively the “Defendants”), in the above captioned matter.

In applying for the aforementioned relief, Defendants rely upon their Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that, affidavits in opposition to the instant motion, and any other papers in opposition to the instant motion are to be served on the undersigned not later than March 3, 2008.

Dated: January 31, 2008
White Plains, New York

RAND ROSENZWEIG RADLEY
& GORDON LLP

_____/S/_____
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